



The Corporation of the Town of Fort Erie By-law 78-2024

Being a By-law to Assume Primary Services for High Pointe Subdivision Phases 1, 2 and 3 (59M-459) Marina (Green Acres) Developments Ltd. – Owner

Whereas By-law No. 76-2017, as amended by By-law No. 106-2019, authorized the Mayor and Clerk to execute the Subdivision Agreement and Amending Subdivision Agreement, respectively, for High Pointe Subdivision; and

Whereas Section 10.8 of the Subdivision Agreement provides that municipal services shall be assumed by the Town in two stages, namely, by Council first passing an Assumption By-law for Primary Services after the Director of Infrastructure Services approves the Certificate of Final Acceptance for Primary Services, and second, an Assumption By-law for Secondary Services after the Director of infrastructure Services approves the Certificate of Final Acceptance for Secondary Services; and

Whereas the Director of Infrastructure Services has approved the Certificates of Final Acceptance for Primary Services for Phases 1, 2, and 3 of the said subdivision; and

Whereas it is deemed desirable to assume the Primary Services for Phases 1, 2, and 3 of the said subdivision;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the following Primary Services identified on the approved servicing plans associated with the Subdivision registered as Plan No. 59M-459 are assumed by the Town of Fort Erie, namely:
 - a) Water Distribution System and appurtenances; and
 - b) Sanitary Service Laterals and appurtenances; and
 - c) Storm Sewer main and appurtenances, and
 - d) Base roads and curbs; and
 - e) Street light distribution system,

pursuant to the Certificates of Final Acceptance for Primary Services.

2. **That** the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 22nd day of July 2024.

Mayor

Clerk